

Register on March 11, 1996 (61 FR 9740), for additional information about the RSAC.

Issued in Washington, DC, on August 2, 2016.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2016-0056]

#### Petition for Special Approval of Alternate Standard

In accordance with part 238 of Title 49 Code of Federal Regulations (CFR), this provides the public notice that by a document dated May 4, 2016, the Maryland Transit Administration (MTA) has requested a Special Approval of an alternate standard for 49 CFR 238.311(a), *Single car test*, as prescribed in 49 CFR 238.21(b), *Special approval procedure*. The Federal Railroad Administration (FRA) assigned the request Docket Number FRA-2016-0056.

MTA requests consideration for Special Approval of the submitted alternate standard identified as "MARC Mechanical Department Single Car Air Brake Test—MARC IV Cab Standard Maintenance Instruction (SMI) M4-06002" for single car testing of the MARC IV cab cars. MTA states that the proposed alternative maintenance standard provides an equivalent level of safety as the standard contained in American Public Transportation Association (APTA) PR-MS-005-98 Rev. 2.1, which is incorporated by reference at 49 CFR 238.311, *Single car test*. MARC IV cab cars are equipped with New York Air Brake CCBII electronic locomotive brake equipment, and cannot be qualified for trailer car use with an unmodified version of the referenced APTA standard. MTA considers that the information contained within its petition supports granting the use of an alternate standard to the APTA PR-M-S-005-98 standard for single car testing of the MARC IV cab cars as requested, and seeks FRA concurrence with MTA's conclusions drawn regarding the equivalency of air brake system validation identified in APTA PR-M-S-005-98 with implementation of the procedure, M4-06002.

Copies of these documents and the petition, as well as any written communications concerning the

petition, are available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing before the end of the comment period, and specify the basis for their request. All communications concerning these proceedings should identify the appropriate Docket Number and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by September 9, 2016 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#/privacyNotice> for the privacy notice of [regulations.gov](http://www.regulations.gov).

Issued in Washington, DC, on July 28, 2016.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2007-0030]

#### Petition for Waiver of Compliance

In accordance with part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated June 15, 2016, the New Jersey Transit Corporation (NJ Transit) has petitioned the Federal Railroad Administration (FRA) for an extension of its existing waiver of compliance from certain provisions of the Federal railroad safety regulations. FRA assigned the petition Docket Number FRA-2007-0030.

NJ Transit owns and operates Southern New Jersey Light Rail Transit, a commuter light rail transit system operating for approximately 34 miles between Trenton, NJ, and Camden, NJ. This commuter operation is also known as the River Line and operates over a Conrail freight line. The operation uses non-FRA-compliant diesel multiple unit trainsets during an exclusive passenger period, temporally separated from Conrail's nightly freight operations over the same tracks. NJ Transit first requested FRA approval of the shared use arrangement and the associated regulatory waivers for this operation on July 13, 1999, in Docket Number 1999-6135, and has received subsequent extensions and modifications of this regulatory relief in 2004, 2005, 2006, 2007 (relating to "Extended Temporal Separation Plan"), 2008 (related to further modifications to the temporal separation plan and for allowing increased maximum operating speed of 65 mph with 4 inches of cant deficiency), 2012 (baselining all prior relief into sole Docket Number FRA-2007-0030 so that all related waivers would expire at the same time), and again in 2013 (modification to include relief from 49 CFR part 242, Qualification and Certification of Conductors).

This request is consistent with the requirements set forth in the "Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light